

SAFETY AWARENESS BOARD

Minutes

Wednesday, May 10, 2006

8:00 a.m.

In attendance: Joseph Sabitoni

Wayne Coulombe

Nick Giardino

Bernie Trembl

Eric Anderson

Chairperson, Joseph Sabitoni called the meeting to order at 8:10 a.m.

There is a quorum. The above members were in attendance for today's meeting. James Jackson, Robin Coia, Tim Byrne and Ed Ladouceur were absent for today's meeting.

The first order of business today is acceptance of minutes of the Wednesday, November 9, 2005, since there has not been a meeting since that time. Everyone had an opportunity to review the minutes. Mr. Nick Giardino made a motion to approve the minutes as submitted. Mr. Eric Anderson seconded the motion. All members voted in favor.

The next order of business is appeal hearings. There is one (1) appeal

hearing on the agenda for which there is a court reporter. Mr. Sabitoni explained the Board's procedures for conducting appeal hearings. Mr. Karl Swanson, Prevailing Wage Examiner was sworn in by the court reporter.

APPEAL HEARING:

Today's appeal pertains to Mr. William Dohoney, an employee of Acoustek, Inc. Mr. Dohoney was sworn in by the court reporter.

Mr. Swanson read the violation. On March 1, 2006 at approximately 2:00 p.m., Karl Swanson and Lisa Tirocchi, Prevailing Wage Investigators visited the new Lincoln Middle School, Lincoln, RI and found an employee of Acoustek, Inc., Mr. William Dohoney, working on the project without an OSHA 10-hour card. This is a violation of RIGL 37-23. Mr. William Dohoney was notified of the alleged violation, as well as Mr. Rick Russell, Project Manager for Bacon Construction, which is the general contractor on the project. Mr. Dohoney was fined \$250 for this violation. This is Mr. Dohoney's first violation before the Board of Safety Awareness.

Mr. Dohoney stated that he was on disability from 1999 until November of 2004, and during that time was unaware that he needed the OSHA 10-hour certification. He just started working for Acoustek, Inc. on this project, and when this violation occurred, he was scheduled to take the course on March 25, 2006. Previous to his

employment with Acoustek, Inc., Mr. Dohoney worked for a company out of Norwood, MA. Mr. Dohoney did attend the OSHA 10-hour training course in Randolph, MA through the carpenter's union on March 25, 2006. A letter was provided to the Board from Ms. Ann-Marie Baker, Apprenticeship Coordinator of the Southeastern Massachusetts Carpenters Apprenticeship and Training Fund to confirm this. He had still not received his card yet because the Carpenter's Union sends the information to the OSHA Training Institute and they are filtered out through the main Carpenter's Union office in Las Vegas for some reason.

However, Mr. Dohoney does have a copy of the letter stating that he took the course, which he was told to keep on him at all times while working on prevailing wage projects.

Mr. Coulombe made a motion that based on the testimony presented, a finding of fact has been made that Mr. Dohoney was working on the Lincoln Middle School, Lincoln, RI on Wednesday, March 1, 2005 without OSHA 10-hour certification, however, based on the testimony provided the Board made a recommendation to the Director of Labor & Training that the \$250 fine be suspended for a 12-month period pending any further violations. Mr. Giardino seconded the motion. All members voted in favor.

This concluded the hearings. There was also no further business before the Board.

Mr. Anderson made a motion to adjourn at 8:50 a.m. Mr. Trembl seconded the motion. All members voted in favor.

The next meeting of the Board of Safety Awareness is scheduled for Wednesday, June 14, 2006 at 8:00 a.m. in Building 70 of the RI Department of Labor & Training, Second Floor Conference Room, 1511 Pontiac Avenue, Cranston, RI 02920.